

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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INJAZAT TECHNOLOGY FUND B.S.C.,

Case No. 2:11-CV-1355 JCM (GWF)

Plaintiff(s),

V.

DR. HAMID NAJAFI,

ORDER

Defendant(s).

Presently before the court is defendant Hamid Najafi (“defendant”)’s motion to declare an expired judgment void and unenforceable. (ECF No. 24). Plaintiff Injazat Technology Fund, B.S.C. has not filed a response, and the time to do so has now passed.

Pursuant to District of Nevada Local Rule 7-2(d), “the failure of an opposing party to file points and authorities in response to any motion . . . constitutes a consent to the granting of the motion.” LR 7-2(d); *see Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (“Failure to follow a district court’s local rules is a proper ground for dismissal.”).

However, the court will not automatically grant every unopposed motion. First, the court must weigh the following factors: “(1) the public’s interest in expeditious resolution of litigation; (2) the court’s need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions.” *Ghazali*, 46 F.3d at 53.

Having considered defendants' motion in light of the *Ghazali* factors, the court grants it. The first three factors—the public's interest in expeditiously resolving this litigation, the court's interest in managing the docket, and the risk of prejudice to defendants—all weigh in favor of dismissal. *See id.*; *Anderson v. Air West*, 542 F.2d 522, 524 (9th Cir. 1976) (holding that a

1 presumption of injury arises from the occurrence of unreasonable delay). This judgment is
2 eleven years old (and there has been no attempt at renewal) and there is a high risk of prejudice
3 should an unenforceable judgment be permitted to remain against defendant. Therefore,
4 dismissal is appropriate.

5 Accordingly,

6 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that defendant's motion to
7 declare the expired judgment void and unenforceable (ECF No. 24) be, and the same hereby is,
8 GRANTED.

9 DATED October 4, 2022.

10 
11 UNITED STATES DISTRICT JUDGE

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